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On 2-16-05

TOWNSEND and TOWNSEND and CREW LLP

By Elizabeth Nesbitt
Elizabeth Nesbitt

PATENT

Attorney Docket No.: 019916-004100US
Client Ref. No.: 0010C-US

Customer No. 20350

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

STEPHEN A. EMPEDOCLES et al.

Application No.: 09/827,256

Filed: April 5, 2001

For: SPATIAL POSITIONING OF
SPECTRALLY LABELED BEADS

Confirmation No. 4344

Examiner: SMITH, Zandra V.

T.C./Art Unit: 2876

AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed November 16, 2004, please enter the
following amendments and remarks:

Amendments to the Claims are reflected in the listing of claims which begins on
page 2 of this paper.

Remarks/Arguments begin on page 9 of this paper.

03/07/2005 AJOHNS01 00000001 201430 0982/236
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875						Application or Docket Number 09827256	
CLAIMS AS FILED – PART I							
(Column 1)		(Column 2)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY	
FOR	NUMBER FILED	NUMBER EXTRA		RATE	FEE	RATE	FEE
BASIC FEE (37 CFR 1.16(a))					\$ _____		\$ _____
TOTAL CLAIMS (37 CFR 1.16(c))	minus 20 =		*	X \$ _____ =		X \$ _____ =	
INDEPENDENT CLAIMS (37 CFR 1.16(b))	minus 3 =		*	X \$ _____ =		X \$ _____ =	
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d))				+ \$ _____ =		+ \$ _____ =	
				TOTAL		TOTAL	
<p>* If the difference in column 1 is less than zero, enter "0" in column 2.</p>							
CLAIMS AS AMENDED – PART II							
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY	
2/16/05						OR OTHER THAN SMALL ENTITY	
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
	Total (37 CFR 1.16(c))	21	54	=	X \$ _____ =	X \$ _____ =	
	Independent (37 CFR 1.16(b))	9	5	4	X \$ _____ =	X \$ _____ =	
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))			+ \$ _____ =		+ \$ _____ =	
				TOTAL ADD'L FEE	400	TOTAL ADD'L FEE	
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY	
AMENDMENT B						OR OTHER THAN SMALL ENTITY	
CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE	
Total (37 CFR 1.16(c))	*	=	X \$ _____ =		X \$ _____ =		
Independent (37 CFR 1.16(b))	*	=	X \$ _____ =		X \$ _____ =		
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))			+ \$ _____ =		+ \$ _____ =		
				TOTAL ADD'L FEE		TOTAL ADD'L FEE	
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY	
AMENDMENT C						OR OTHER THAN SMALL ENTITY	
CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE	
Total (37 CFR 1.16(c))	*	=	X \$ _____ =		X \$ _____ =		
Independent (37 CFR 1.16(b))	*	=	X \$ _____ =		X \$ _____ =		
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))			+ \$ _____ =		+ \$ _____ =		
				TOTAL ADD'L FEE		TOTAL ADD'L FEE	
<p>* If the entry in column 1 is less than the entry in column 2, write "0" in column 3. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20". *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3". The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.</p>							

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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